IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.34804 of 2008
1. RAKESH KUMAR @ PAPPU YADAV, SON OF UMESH YADAV
2. SHARWAN KUMAR @ SHRAWAN KUMAR YADAV, SON OF DEMODAR YADAV
ALL RESIDENTS OF VILLAGE SAKHWA, P.S. BITHAN, DISTRICT SAMASTIPUR
----------PETITIONERS.
Versus
STATE OF BIHAR----------OPPOSITE PARTY.
---

04. 11.12.2008. Heard learned counsel for the petitioners and the State.

Petitioners are accused in a case which was registered for the offence under Sections 302, 396 and other allied Sections of the Penal Code. They are named in the First Information Report along with eight others but from the contents of the F.I.R. and the other materials placed on record, it is evident that the allegation under Section 396 does not appear to be true. In the circumstance, the overt act attributed against these petitioners is being taken into account for considering their plea for bail. Petitioner no. 2 is alleged to have shot at the wife of the deceased in her thighs. In the circumstances, at this stage, I am not inclined to release him on bail and his prayer for bail is, accordingly rejected with liberty to renew prayer for bail after completing one year in jail custody.

So far petitioner no.1 is concerned he is member of unlawful assembly, in the circumstances, petitioner no.1, namely, Rakesh Kumar @ Pappu Yadav is directed to be released on bail on furnishing bail bond of Rs. 5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Rosera, Samastipur in connection with Hasanpur(Bithan) P.S. Case No. 19 of 2005.

WEB COPY NOT OFFICIAL

(V.N.Sinha,J.)

Rajesh/

WEB COPY
NOT OFFICIAL